



09/29/03

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03945 U.S. PTO  
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September 29, 2003

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 U.S. Patent and Trademark Office  
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 Customer Window, MS Patent Application  
 Crystal Plaza Two, Lobby, Room 1B03  
 Arlington, VA 22202

\*ADMITTED TO D.C. BAR; D.C. PRACTICE OF  
 ALL OTHERS LIMITED TO FEDERAL COURTS  
 AND AGENCIES

Re: Continuation Patent Application  
 (Division of U.S. application no. 10/100,177)  
 Appl. No.: to be assigned  
 Filed: herewith  
 For: **System for Co-Culturing Bacteria  
 and Eukaryotic Cells**  
 Inventor(s): Paoletti, *et al.*  
 Atty. Dkt.: 7570/80639

Sir:

The following documents are being forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. A true copy of application no. 10/100,177, as filed in the U.S. Patent and Trademark Office on March 19, 2002,

and naming as inventor(s): Lawrence C. Paoletti  
 Gennady Malin

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the application comprising:

- 9 pages of specification (numbered as pages 1-9);  
4 pages of claims (numbered as pages 10-13),  
a one page abstract (numbered as page 14), and  
2 sheets of drawings (labeled as Fig. 1-Fig. 2B);
2. A copy of the Declaration (37 C.F.R. § 1.63) and Power of Attorney executed by inventor Lawrence C. Paoletti filed in the parent application (3 pages);
  3. A copy of the Declaration (37 C.F.R. § 1.63) and Power of Attorney executed by inventor Gennady Malin filed in the parent application (3 pages);
  4. Preliminary Amendment (6 pages);
  5. Information Disclosure Statement (2 pages);
  6. List of References Cited by Applicant (1 page);
  7. A copy of the originally executed and recorded Assignments to The Brigham and Women's Hospital, Inc. filed in the parent application (6 pages); and
  8. Two (2) return postcards.

This application is a division of U.S. application no. 10/100,177, filed on March 19, 2002. The '177 application claims priority to U.S. provisional application no. 60/279,436, filed on March 29, 2001.

The entire disclosure of the prior application, from which an oath or declaration is being supplied herewith in copy form from the prior application (37 C.F.R. § 1.63(d)), is considered a part of the disclosure of the accompanying divisional application and is hereby incorporated by reference.

In accordance with the requirements of 37 C.F.R. § 1.53(b), the present divisional application is being filed under the conditions specified in 35 U.S.C. § 120. The inventors named on this divisional application are the same as the inventors named on the parent, and the application is being filed before the patenting, or abandonment of, or termination of proceedings of the parent application (10/100,177).

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### Fee Calculation

Applicants calculate the filing fees is as follows:

	Total		No. Extra	Rate	Fee
<b>Basic Filing Fee</b>					<b>750.00</b>
<b>Total Claims Fee</b>	<b>41</b>	<b>20=</b>	<b>21</b>	<b>\$ 18.00</b>	<b>378.00</b>
<b>Independent Claims Fee</b>	<b>1</b>	<b>3 =</b>	<b>0</b>	<b>\$ 84.00</b>	<b>0.00</b>
<b>Multiple Dependent Claims Fee</b>				<b>\$ 280.00</b>	<b>280.00</b>
<b>TOTAL FEES DUE</b>					<b>\$ 1,408.00</b>

**The application is being filed under 37 C.F.R. § 1.53 without the filing fee.**

We are submitting an Information Disclosure Statement which cites references originally submitted in connection with the parent application, U.S. 10/100,177. The present application relies upon 10/100,177 for priority under 35 U.S.C. § 120. Thus, in accordance with 37 C.F.R. § 1.98(d), copies of the listed references are not being submitted. If, for any reason, the Examiner cannot locate a listed reference, Applicants will be happy to submit a copy as a courtesy.

It is respectfully requested that the enclosed postpaid postcards be stamped with the serial number and the date the enclosed documents are received by the PTO and that they be returned as soon as possible.

Respectfully requested,

FITCH, EVEN, TABIN & FLANNERY



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MAS:ct  
Enclosures